IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

MONDAY THE TWENTY FIRST DAY OF NOVEMBER,
TWO THOUSAND AND FIVE
: PRESENT:
THE HON'BLE MR. JUSTICE: C. V. RAMULU

CIVIL REVISION PETITION No. 4590 OF 2005

(Petition under Article 227 of the constitution of India to revise the Order and decree of the Court of the Chief Judge, City Civil Court, Hyderabad, and made in PSR.O.P.No. 2106 of 2002, dated 28-03-2005)

Between:

1. A.P. Kuruma Sangham, H.No. 15-7-277, Near Muslimjung Bridge, Hyderabad, rep. by its General Secretary C.Ramesh Kumar, S/o. Late Muthalu, R/o.H.No. 11-4-633, A.C.Guards, Hyderabad, Andhra Pradesh.
2. C.Ramesh Kumar, S/o. Late Muthyalu, R/o. H.No. 11-4-633, A.C.Guards, Hyderabad. Petitioners

AND

1. Y.Beerappa, S/o. Late Y.Seethaiah, R/o. Occ: Business and Chairman Kuruma Students Hostel Trust, C/o. Annapurna Kalyana Mandapam, Dilsukhanagar, Hyderabad.
2. A.Gauri Shankar, S/o. Late A.Pentaiah, Occ: Retd. Railway Sergvice and Life Trustee of Kuruma Vidyarthi Hostel Trust, Hyderabad and Advisor of Gowloipura Zone Kurmaf Sangham of A.P., Kuruma Sangham, R/o. H.No. 18-5-825, Lal Dharwaja, Behind Union Bank of India, Hyderabad.
3. M.Balakrishna, S/o. Late M.Yadagiri, Occ: Business, and Vice President, Andhra Pradesh Kuruma Sangham.
4. G.Mallesh, S/o. G.Jangaiah,, Occ: Business and Secretary A.P. Kuruma Sangham, R/o. Ibrahimpatnam, Ranga Reddy District.
5. T. Rajeshwar S/o. T. Buchaiah, Occ : Social Activist and President, Musheerabad Zone, Kuruma Sangham, Twin Cities and Ex. General Secretary of Andhra Pradesh Kuruma Sangham, R/o. Musheerabad, Hyderabad.
6. K. Vijay Kumar S/o. late K. Muthaiah, Occ: Central Service, R/o. Plot No. 16, Shathavahana Colony, Near SBH Colony, L.B. Nagar, Ranga Reddy District.
7. Kuruma Vidyarthi Hostel Trust Board, H.No. 15-7-277, Near Muslimgunj Bridge, Hyderabad, Rep. by its Chairman Y. Beerappa S/o. late Y. Shivaiah, Occ: Business, R/o. C/o. Annapurna Kalyana Mandapam, Dilsukhnagar, Hyderabad.
8. V. Gopinath, President, Andhra Pradesh, Kuruma Sangham, Having its Office at H.No. 15-7-277, Kuruma Vidyarthi Vasathi Gruham, Muslimjung Bridge, Hyderabad.

   Respondents

The petition coming on for hearing, upon perusing the petition and grounds filed herein in support thereof and the orders of the High Court dated 06-09-2005 and made in CRPMP. No. 6214 of 2005 and order dated 28-09-2005 and made in CMP. No. 6625 of 2005 and upon hearing the arguments of Mr. M. Ratna Reddy, Advocate for the Petitioners, and of Mr. Vedula Venkataramana, Advocate on behalf of the Respondent Nos. 1 to 6, the Court made the following :

ORDER:

"The short controversy that arises for consideration is whether the amendments brought out by the petitioners were legally tenable or not. The Tribunal below after elaborate consideration of the entire evidence on record came to the conclusion that before amending the bye – laws, the consent of the kuruma students Hostel Trust is a must and the same was not followed by the petitioners herein. Therefore, the O.P. was ordered as prayed for. Aggrieved by the same, the present CRP is filed.

While admitting the CRP, this Court granted interim stay on 6/9/2005 and the same was extended until further orders on 28/9/2005. Now a vacate stay petition is filed by the petitioners in the O.P. stating that in view of the stay granted by this Court, the petitioners herein are invoking the very same provisions which were declared to be invalid by the Court below and the petitioners herein are creating havoc in the maintenance of accounts.

In view of the above, while continuing the interim stay granted on 06/9/2005, the petitioners herein are directed not to operate the Bank account as per the amended bye –laws until disposal of the CRP.

Post the CRP for final hearing on 28/11/2005."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Chief Judge, City Civil Court, Hyderabad.
2. One Spare Copy

BV

HIGH COURT

TCSR, J

DATE: 28-10-2005

NOTE: POST ON 3-11-2005

ORDER

CRP.NO. 4966 OF 2005

EXTENSION OF INTERIM STAY

HIGH COURT

MVJ
DRAFTED ON 3-11-2005

TCSR, J

DATE: 28-10-2005

NOTE: POST ON 3-11-2005

ORDER

CRP.NO. 4966 OF 2005

EXTENSION OF INTERIM STAY